

**NOT FOR PUBLICATION**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,	)	No. CR04-1311-PHX-SRB
	)	CV05-2722-PHX-BRB
Petitioner,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Marco Antonio Gonzalez,	)	
	)	
Respondent.	)	
	)	

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Respondent, Marco Antonio Gonzalez, filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on September 7, 2005. Petitioner filed its response in opposition on January 9, 2006. Respondent did not file a reply.

The Magistrate Judge filed his Report and Recommendation on April 26, 2006 recommending that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence be denied.

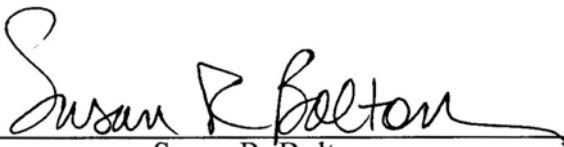
In his Report and Recommendation the Magistrate Judge advised the parties that they had 10 days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. The time to file such objections has long since expired and no objections to the Report and Recommendation have been filed.

The Court finds itself in agreement with the Report and Recommendation of the Magistrate Judge.

1 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge  
2 as the order of this Court.

3 IT IS FURTHER ORDERED that Respondent's Motion to Vacate, Set Aside, or  
4 Correct Sentence is denied. (Doc. 26).

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6 DATED this 31<sup>st</sup> day of May, 2006.

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10 Susan R. Bolton  
11 United States District Judge  
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